



City of Malibu

23815 Stuart Ranch Road • Malibu, California • 90265-4861
Phone (310) 456-2489 • Fax (310) 456-3356 • www.ci.malibu.ca.us

August 6, 2003

Los Angeles County Board of Supervisors
Violet Varona-Lukens, Executive Officer
Kenneth Hahn Hall of Administration
Room 383
500 West Temple Street
Los Angeles, California 90012

Re: Resolutions Calling Election and Requesting Consolidation

On July 28, 2003, the City Council of the City of Malibu adopted Resolution No. 03-43 calling a special municipal election for the purpose of submitting to the voters a proposed ordinance relating to the Malibu Bay Company Development Agreement and Resolution No. 03-44 requesting consolidation of election, setting forth the form of the question to be vote upon, and providing other matters. These documents are being forwarded to your office to be included on the City's Special Election ballot for November 4, 2003.

Also enclosed for your information are Resolution Nos. 03-45 and 03-46 related to the election.

Please do not hesitate to call me at (310) 456-2489, extension 228 or Lpope@ci.malibu.ca.us, should you have any questions or should you require additional information.

Sincerely,

Lisa Pope
City Clerk

Attachments: Resolution No. 03-43
Resolution No. 03-44
Resolution No. 03-45
Resolution No. 03-46

cc: City Manager Lichtig
City Attorney Hogin
November 4, 2003 Election file

RESOLUTION NO. 03-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2003, FOR THE SUBMISSION TO THE QUALIFIED VOTERS A PROPOSED ORDINANCE

WHEREAS, the City Council of the City of Malibu desires to submit to the voters at a Special Municipal Election a proposed ordinance relating to the Malibu Bay Company Development Agreement; and

WHEREAS, the City Council is authorized and directed by statute to submit the proposed ordinance to the voters.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MALIBU DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Malibu on Tuesday, November 4, 2003, a Special Municipal Election for the purpose of submitting the following proposed ordinance:

Shall Ordinance No. 252 approving the Malibu Bay Company Development Agreement be adopted?	YES	
	NO	

SECTION 2. That the text of the ordinance submitted to the voters is attached as Exhibit A.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 5. That the polls shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Election Code of the State of California.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

This certifies that this document consisting of 7 pages is a true and correct copy of the original on file with the City of Malibu.

Attest this 6th day of August, 2003

By Xion Pope


Title City Clerk

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter into the book of original resolutions.

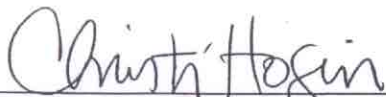
PASSED, APPROVED and ADOPTED this 28th day of July 2003.


KENNETH KEARSLEY, Mayor

ATTEST:

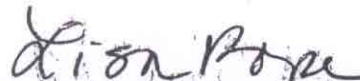

LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:


CHRISTI HOGIN, City Attorney

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 03-43 was passed and adopted by the City Council of the City of Malibu at the regular meeting thereof held on the 28th day of July 2003, by the following vote:

AYES:	5	Councilmembers:	House, Jennings, Stern, Barovsky, Kearsley
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		


LISA POPE, City Clerk
(seal)

RESOLUTION NO. 03-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2003, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of Malibu called a Special Municipal Election to be held on November 4, 2003, for the purpose of submitting to the voters the question relating to adoption of Ordinance No. 252; and

WHEREAS, the City Council is submitting to the voters the question relating to the Malibu Bay Company Development Agreement; and

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City precincts, polling places and election officers of the two elections be the same, and that the County Election Department of the County of Los Angeles canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were only one election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MALIBU DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the Statewide General Election on Tuesday, November 4, 2003, for the purpose of submitting to the voters the question relating to Ordinance No. 252.

SECTION 2. That a measure is to appear on the ballot as follows:

Shall Ordinance No.252 approving the Malibu Bay Company Development Agreement be adopted?	YES	
	NO	

SECTION 3. That the County Election Department is authorized to canvass the returns of the Special Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 4. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

SECTION 5. That the City of Malibu recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 6. That the City Clerk is hereby directed to file a certified copy of this resolution

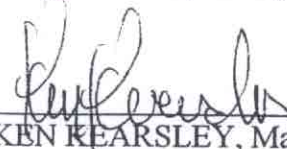
This certifies that this document consisting of 2 pages is a true and correct copy of original on file with the City of Malibu.

Attest this 16th day of August, 2003
By Jason Pope
Title City Clerk
(seal)

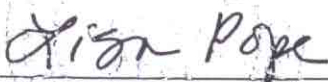
with the Board of Supervisors and the County Election Department of the County of Los Angeles.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

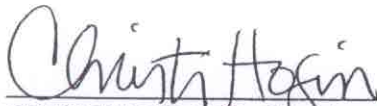
PASSED, APPROVED and ADOPTED this 28th day of July 2003.


KEN KEARSLEY, Mayor

ATTEST:

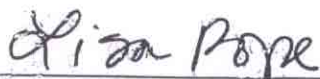

LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:


CHRISTI HOGIN, City Attorney

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 03-44 was passed and adopted by the City Council of the City of Malibu at the regular meeting thereof held on the 28th day of July 2003, by the following vote:

AYES:	5	Councilmembers:	House, Jennings, Stern, Barovsky, Kearsley
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		


LISA POPE, City Clerk
(seal)

RESOLUTION NO. 03-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS

WHEREAS, Sections 9220 and 9285 of the Elections Code of the State of California authorize the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for City measures submitted at municipal elections.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MALIBU DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

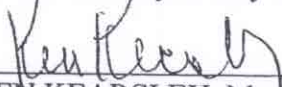
SECTION 1. That pursuant to Sections 9220 and 9285 of the Elections Code of the State of California, when the Clerk has selected the arguments for and against the measure which will be printed and distributed to the voters, the Clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the arguments against to the authors of the argument in favor. The authors may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 2. That all previous resolutions providing for the filing of rebuttal arguments for City measures are repealed.

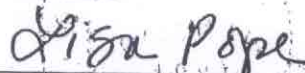
SECTION 3. That the provisions of Section 1 shall apply at the next ensuing municipal election and at each municipal election after that time.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

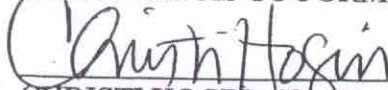
PASSED, APPROVED and ADOPTED this 28th day of July 2003.


KEN KEARSLEY, Mayor

ATTEST:


LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:


CHRISTI HUGIN, City Attorney

This certifies that this document consisting of 2 pages is a true and correct copy of the original on file with the City of Malibu.

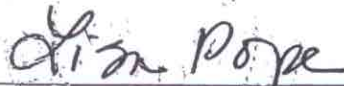
Attest this 6th day of August, 2003.

By Lisa Pope

Title City Clerk
(seal)

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 03-45 was passed and adopted by the City Council of the City of Malibu at the regular meeting thereof held on the 28th day of July 2003, by the following vote:

AYES:	5	Councilmembers:	House, Jennings, Stern, Barovsky, Kearsley
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		



LISA POPE, City Clerk
(seal)

RESOLUTION NO. 03-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, a Special Municipal Election is to be held in the City of Malibu on November 4, 2003, at which there will be submitted to the voters the following measure:

Shall Ordinance No. 252 approving the Malibu Bay Company Development Agreement be adopted?	YES	
	NO	

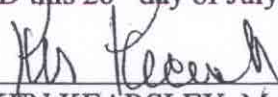
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MALIBU DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the City Council authorize any and all members of the City Council to file written arguments In Favor or Against City measure, accompanied by the printed name(s) and signature(s) of the person(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk.

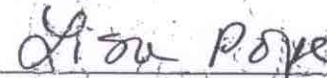
SECTION 2. The City Council directs the City Clerk to transmit a copy of the above measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure showing the effect of each measure on the existing law and the operation of each measure. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

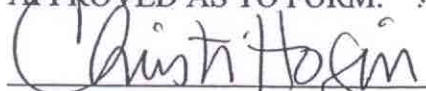
PASSED, APPROVED and ADOPTED this 28th day of July, 2003.


KEN KEARSLEY, Mayor

ATTEST:



LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:


CHRISTI HUGIN, City Attorney


This certifies that this document consisting of 2 pages is a true and correct copy of the original on file with the City of Malibu.

Attest this 16th day of August, 2003.

By 
Title City Clerk
(seal)

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 03-46 was passed and adopted by the City Council of the City of Malibu at the regular meeting thereof held on the 28th day of July 2003, by the following vote:

AYES:	5	Councilmembers:	House, Jennings, Stern, Barovsky, Kearsley
NOES:	0		
ABSTAIN:	0		
ABSENT:	0		


 LISA POPE, City Clerk
 (seal)

COPIES TO:

____ CITY SUPERVISOR

____ CITY ADMINISTRATIVE OFFICE

____ CITY ENGINEER

____ CITY

____ FILED FOR COURT ORDER

____ COMPLIANCE WITH RETENTION SCHEDULE
